

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ANTHONY FALSO,

Plaintiff,

DECISION AND ORDER

09-CV-6053L

v.

GATES CHILI CENTRAL SCHOOL DISTRICT,

Defendant.

ANTHONY FALSO,

Plaintiff,

v.

10-CV-6465L

UNISYS TECHNICAL SERVICES,

Defendant.

INTRODUCTION

Plaintiff Anthony Falso (“Falso”), proceeding *pro se*, has brought a number of actions in this Court, alleging various forms of discrimination against former employers.

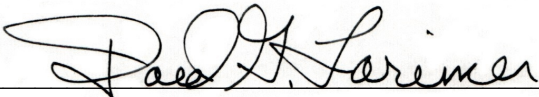
By Decision and Order entered January 26, 2010 in the matter of *Falso v. Gates Chili Central School District*, 09-CV-6053 (the “Gates Chili matter”), the Court granted a motion to dismiss the

complaint for failure to state a claim, pursuant to Fed. R. Civ. Proc. 12(b)(6). (Dkt. #14) In that Decision and Order, the Court made note of plaintiff's lengthy history of filing frivolous *pro se* actions, and issued a cautionary instruction to plaintiff, urging him that continued frivolous litigation might expose him to an injunction and/or monetary sanctions.

On August 13, 2010, plaintiff filed a motion in the Gates Chili matter (Dkt. #17) seeking leave of Court to file a new, separate and distinct action against Unisys Technical Services ("Unisys"). That same day, without the Court's having had the opportunity to respond to the motion for leave, plaintiff proceeded to file the proposed action against Unisys (*Falso v. Unisys Technical Services*, 10-CV-6465).

In order to resolve the apparent confusion, the Court notes that as of yet, the Court has not required plaintiff to seek leave of Court prior to filing new actions, and the Court therefore denies plaintiff's motion for leave to file the proposed complaint (a motion filed in the Gates Chili matter as Dkt. #17, but pertaining solely to plaintiff's newly-filed action against Unisys) as moot. Once again, the Court reiterates its prior warning to plaintiff, and urges him to carefully weigh the merits of the pending action, lest the pursuit of frivolous claims expose him to sanctions.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
August 25, 2010.